

R 262041Z MAY 06  
FM AMEMBASSY PORT AU PRINCE  
TO RUEHC/SECSTATE WASHDC 3139  
INFO RUEHZH/HAITI COLLECTIVE  
RUCPDO/DEPT OF COMMERCE WASHDC  
RUEAWJA/DEPT OF JUSTICE WASHDC  
RUEATRS/DEPT OF TREASURY WASHDC

C O N F I D E N T I A L PORT AU PRINCE 000950

SIPDIS

STATE FOR WHA/CAR WHA/EPSC EB/IFD  
INR IAA/MAC (BEN YEHUDA)  
STATE PASS TO AID FOR LAC/CAR  
TREASURY FOR JEFF LEVINE  
USDOC FOR 4322/ITA/MAN/WH/OLAC (SMITH, S.)

E.O. 12958: DECL: OADR  
TAGS: [KCRM](#) [EFIN](#) [PGOV](#) [HA](#)  
SUBJECT: HEAD OF ANTI-CORRUPTION UNIT ARRESTED

Classified By: ADCM Paul Folmsbee. Reason 1.5 (d)

11. (C) SUMMARY: The May 22 arrest of the head of the Haitian anti-corruption unit, Jean-Yves Noel, on kidnapping charges has created a swirl of controversy. Many believe that his arrest is revenge for Noel's pursuit of corrupt Aristide cronies, while others think that it is payback for Noel's own corrupt activities on the side. Either way, the case is another indictment of the dysfunctional Haitian justice system. END SUMMARY

UCREF Head Arrested

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12. (U) The head of the Haitian anti-corruption unit, Jean-Yves Noel, was arrested May 22 and charged with kidnapping. Noel's group, UCREF (Unite Centrale de Recherche et d'Enquete Fiscal), had been investigating funds stolen from the Haitian government during the Aristide administration.

13. (C) The charges against Noel stem from an incident several months ago when he ordered that a court employee be detained when attempting to deliver a judicial order unfreezing a frozen bank account. The presiding judge in the case, Jean Peres Paul, told the press that Noel was arrested because he failed to appear at a May 2 court hearing concerning the detention. Noel is being held in the Port-au-Prince penitentiary.

Arrest Condemned by Human Rights Groups

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14. (C) A coalition of human rights groups issued a communique condemning the arrest and calling for his immediate release. The communique notes that his arrest came precisely at the moment that the country is installing a new government and that those responsible for previous financial crimes have still not been brought to justice. In addition, in Parliament May 24, Deputy Guy Gerard Georges (Union) highlighted the case, calling on the Haitian government to stop persecuting honorable and honest citizens.

But What is the Real Story Behind the Arrest

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15. (C) Speculation is rife in the capital about the real reason for the arrest. One troubling theory is that now that Preval has been elected President, Aristide's allies have become emboldened. Noel's arrest was partially so that Aristide's corrupt cronies can get their money out of the country, and partially simple revenge against Noel for making their lives difficult. In a variation of that theory, some believe that Aristide cronies are simply taking advantage of the power vacuum while Preval forms his cabinet to go after Noel. However, many believe that Noel's arrest is not because he was a good soldier in the fight against corruption, but rather revenge for Noel's own

corrupt activities on the side.

¶6. (C) COMMENT: Under Noel's leadership UCREF was fairly ineffective. Noel did not fully cooperate with USG investigators; in fact more recently his actions in effect blocked the USG from making progress on several cases, lending some credence to the theory that Noel was dirty and this arrest was for another reason. Either way, the case is an indictment --as if another was needed-- of the failure of the Haitian justice system and the penchant of wealthy and influential Haitians for revenge against their enemies. Post will continue to watch this case closely.  
SANDERSON